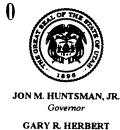
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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER **Executive Director**

Division of Oil, Gas and Mining

JOHN R. BAZA Division Director

August 18, 2009

Elliot Finley, Resident Agent Hiawatha Coal Company P. O. Box 1240 Huntington, Utah 84528

Subject: Conditional Approval of Hiawatha Mine, C/007/0011, Chapter 8 Updates, Task ID

#3364

Dear Mr. Finley:

The above-referenced amendment is conditionally approved upon receipt of 8 clean copies prepared for incorporation. Please submit these copies by September 17, 2009. Once we receive these copies, final approval will be granted, at which time you may proceed with your plans.

A stamped incorporated copy of the approved plans will also be returned to you at that time, for insertion into your copy of the Mining and Reclamation Plan. This modification does not necessitate an update to the Technical Analysis.

If you have any questions, please call me at (801) 538-5262 or April Abate at (801) 538-5214.

Sincerely,

James D. Smith Permit Supervisor

JDS/AAA/sqs cc: Price Field Office O:\007011.HIA\FINAL\WG3364\CONDAPP.DOC

